Amendments to Drawings:

The attached sheet of drawings (4/4) includes changes to Figure 2C. This sheet, which includes Figure 2C, replaces the original sheet (4/4) including Figure 2C. In Figure 2C, line 3 of block 280, "FROM" has been changed to --TO--.

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 1-4, 6-11, 13-15 and 17-28 are pending in this application. Claims 5, 12 and 16 have been canceled without prejudice or disclaimer. Claims 1, 2, 8, 9 and 15 have been amended, and new claims 21-28 have been added, to more distinctly claim subject matter which the Applicants regard as the invention. Furthermore, a typographical error in Figure 2C of the drawings has been corrected. The Applicants submit that no new matter has been introduced into the application by these amendments.

Claim Rejections - 35 USC § 112

Claims 2 and 9 stand rejected under 35 U.S.C. 112, second paragraph, for failing to provide insufficient antecedent basis for the limitation "the lower guaranteed data bit rate. Claims 2 and 9 have been amended to more distinctly claim the subject matter which the Applicants regard as the invention.

Based on the arguments presented above, withdrawal of the rejection of claims 2 and 9 under 35 U.S.C. 112, second paragraph is respectfully requested.

Claim Rejections

Claims 1, 6-8, 13, 14, 19 and 20 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,944,473 (Irwin et al., hereinafter referred to as Irwin). Claims 2-4, 9-11, 17 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin in view of U.S. Patent No. 6,597,894 (Ue et al.). Claims 5, 12 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin in view of U.S. Patent No. 7,106,694 (Salonen et al.).

Irwin discloses a method for reconfiguring a radio access bearer (RAB) using an RNC 105 (see abstract and Figure 1). Irwin discloses a CN 102 that establishes a guaranteed bit rate for the RAB (e.g., 16 kbps), (see col. 2, lines 57-59). Irwin

further discloses that the CN 102 may establish an acceptable range for the guaranteed bit rate (e.g., 8 kbps to 16 kbps), (see col. 2, lines 59-60). Furthermore, Irwin discloses that the RNC may send a message to the CN indicating that it is only able to meet a lower guaranteed bit rate (e.g., 12 kbps), (see col. 2, lines 60-67).

Regarding claims 1 and 8, these independent claims have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Specifically, claims 1 and 8 have been amended to recite that a radio network controller (RNC) determines a target data bit rate needed to correct an RL quality deficiency. If the target data bit rate is less than the guaranteed data bit rate, the RNC renegotiates a new guaranteed data bit rate with a core network (CN). Once the target data bit rate is greater than or equal to the guaranteed data bit rate, the current data bit rate is reduced to the target data bit rate by removing at least one transport format combination (TFC) from a transport format combination set (TFCS) associated with a specific coded composite transport channel (CCTrCH) that is associated with the RL.

The Applicants submit that Irwin fails to teach or suggest reducing the current data bit rate to the target data bit rate by removing at least one TFC from a TFCS associated with a specific coded composite transport channel (CCTrCH) that is associated with the RL.

The Examiner asserts that Salonen et al. (U.S. Patent No. 7,106,694) discloses adding and removing TFCs to/from a TFSC associated with a specific CCTrCH in view of canceled claims 5, 12 and 15. The Examiner relies on column 9, lines 20-35 of Salonen which teaches the construction of a TFCS, whereby when a TFC is found to be within predetermined limits, the TFC is added to a TFCS. Furthermore, the Examiner relies on steps 140 and 150 of Figure 1, and column 7, lines 55-65, which discloses whether a bearer should be refused or admitted.

The Applicants submit that neither of Irwin and Salonen, alone or in combination, teach or suggest reducing the current data bit rate to the target data bit rate by removing at least one TFC from a TFCS associated with a specific coded composite transport channel (CCTrCH) that is associated with the RL.

Claim 15 has been amended to incorporate the subject matter of claim 16, which the Examiner did apply any prior art to reject and thus the Applicants assume that claim 16 included allowable subject matter.

Claims 2-4, 6, 7, 9-11, 13, 14 and 17-20 are dependent upon claims 1, 8 and 15, respectively, which the Applicants believe are allowable over the cited prior art of record for the same reasons provided above. Furthermore, the Applicants submit that new claims 21-28 are also allowable over the cited prior art of record for the same reasons provided above.

Based on the arguments presented above, the withdrawal of the rejections of claims 1-4, 6-11, 13-15 and 17-20 is respectfully requested.
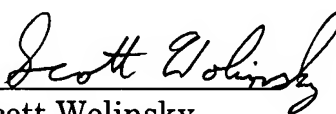
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-4, 6-11, 13-15 and 17-28, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Zeira et al.

By _Scott Wolinsky_
Scott Wolinsky
Registration No. 46,413

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

SW/tm
Enclosure